

## CHAPTER 6

# THE UNLAWFULNESS OF FORCING ONE'S BELIEF UPON OTHERS AND DESTROYING PLACES OF WORSHIP



## 6.1 PRELIMINARY STATEMENT

Islam gives complete religious freedom to non-Muslims, and the Islamic government is not to interfere in their religious affairs. Islam also guarantees the protection of their places of worship and other religious sites, as well as their life, honour and property. In short, Islam presents an unprecedented model of tolerance, harmony and peaceful co-existence. The Qur'ān fostered feelings of harmony amongst religions and ensured their freedom to the point that it forbade the believers from insulting the false gods of other faith traditions. God says in the Qur'ān,

﴿وَلَا تَسُبُّوا الَّذِينَ يَدْعُونَ مِنْ دُونِ اللَّهِ فَيَسُبُّوا اللَّهَ عَدْوًا بِغَيْرِ عِلْمٍ﴾

*‘And do not insult those whom they worship besides God, lest they insult God wrongfully and out of ignorance’.*<sup>1</sup>

There can be no better example of interfaith tolerance than this.

## 6.2 THE COMPLETE FREEDOM TO PRACTISE ONE’S RELIGION

There is no room for coercion in Islam and no one can be forced to convert. Islam gives complete religious freedom to all non-Muslim citizens to adhere to their respective faith traditions and to freely practise their teachings. God says,

﴿لَا إِكْرَاهَ فِي الدِّينِ قَدْ تَبَيَّنَ الرُّشْدُ مِنَ الْغَيِّ﴾

*‘There is no compulsion in religion. Surely, right guidance is clearly distinguished from error’.*<sup>2</sup>

Ibn Kathīr explained this verse in the following words:

‘Do not coerce anyone to embrace the religion of Islam, for its proofs and evidence are clear, obvious and

---

<sup>1</sup> Qur’ān 6:108.

<sup>2</sup> Ibid., 2:256.

manifest. There is no need for anyone to be coerced into embracing it'.<sup>1</sup>

God also says in the Qur'ān,

﴿أَفَأَنْتَ تُكْرِهُ النَّاسَ حَتَّىٰ يَكُونُوا مُؤْمِنِينَ﴾

*'So will you coerce people until they become believers?'*<sup>2</sup>

God has strictly forbidden the Muslims from coercing others to embrace Islam. Therefore, no non-Muslim can be compelled to become a Muslim, because Islam is not merely the profession of faith or the performance of bodily rituals; it requires the confirmation and conviction of the heart; and in matters of the heart, there is no scope for coercion.

When 'Umar رضي الله عنه granted security and protection to the people of Jerusalem, his treaty formed the constitution of religious freedom available for non-Muslims in an Islamic society. He wrote:

هَذَا مَا أَعْطَىٰ عَبْدُ اللَّهِ عُمَرُ أَمِيرُ الْمُؤْمِنِينَ أَهْلَ إِبِلْيَاءَ مِنَ الْأَمَانِ. أَعْطَاهُمْ أَمَانًا  
لِأَنْفُسِهِمْ وَأَمْوَالِهِمْ وَلِكَنَائِسِهِمْ وَصُلْبَانِهِمْ، وَسَقِيمَتِهَا وَبَرِيئَتِهَا وَسَائِرِ مِلَّتِهَا، أَنَّهُ لَا  
تُسَكَّنُ كَنَائِسُهُمْ وَلَا تُهْدَمُ، وَلَا يُنْتَقَصُ مِنْهَا وَلَا مِنْ حَيَرِهَا، وَلَا مِنْ صَلَابَتِهَا، وَلَا  
مِنْ شَيْءٍ مِنْ أَمْوَالِهِمْ، وَلَا يَكْرَهُونَ عَلَىٰ دِينِهِمْ، وَلَا يُضَارُّ أَحَدٌ مِنْهُمْ، وَلَا يَسْكُنُ  
بِإِبِلْيَاءَ مَعَهُمْ أَحَدٌ مِنَ الْيَهُودِ.

'This is the covenant of security from the servant of God, 'Umar, the Commander of the Faithful, to the people of Jerusalem. He grants them security in their lives, properties, churches, crucifixes and to their ill and their healthy and their entire religious community. Their churches are not to be occupied, demolished or decreased in number. Their churches or crucifixes should not be desecrated, or anything else of their property. They are not to be coerced to abandon their faith, and no one

<sup>1</sup> Ibn Kathīr, *Tafsīr al-Qur'ān al-Azīm*, 1:310.

<sup>2</sup> Qur'ān 10:99.

amongst them is to be harmed in any way. And none of the Jews are to reside with them in Jerusalem [due to the severe enmity between them in those days]'.<sup>1</sup>

Professor Philip K. Hitti writes, 'They [non-Muslims] were allowed the jurisdiction of their own canon laws as administered by the respective heads of their religious communities. This state of partial autonomy, recognized later by the Sultans of Turkey, has been retained by the Arab successor states'.<sup>2</sup> Further on he writes, 'All non-Moslems were allowed autonomy under their own religious heads'.<sup>3</sup> . . . Syria as a whole remained largely Christian until the third Moslem century. . . . In fact Lebanon remained Christian in faith and Syriac in speech for centuries after the conquest'.<sup>4</sup>

The opinion of Hitti and other non-Muslim orientalists testifies to the fact that the Islamic governments did not resort to coercion or pressure to change the religion of the non-Muslim citizens in their territories. Non-Muslims were given complete freedom and protection to practise their religions and hold fast to their faith traditions. Despite the Muslim conquests of these areas, the Christians held firm to their religion and the Muslim governments neither interfered with their faith nor hindered its practice. This demonstrates the benevolence of Islam, which has been duly appreciated by many non-Muslim researchers and historians.

### 6.3 THE UNLAWFULNESS OF KILLING A NON-MUSLIM AND DESTROYING HIS OR HER PROPERTY DUE TO RELIGIOUS DIFFERENCES

The diversities and differences between the various faith traditions cannot be a basis for killing others and seizing their wealth. It is unequivocally forbidden to oppress others through torture,

<sup>1</sup> Narrated by al-Ṭabarī in *Tārīkh al-umam wa al-mulūk*, 2:449.

<sup>2</sup> Philip K. Hitti, *History of the Arabs*, p. 170.

<sup>3</sup> Ibid., p. 225.

<sup>4</sup> Ibid., p. 231.

slander or false accusations—no matter what their race, religion or region. There is a recompense for every excess as God says,

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا كُتِبَ عَلَيْكُمُ الْقِصَاصُ فِي الْقَتْلَى﴾

*‘O you who believe! Retribution [qīṣāṣ] is prescribed for you in cases where one is unjustly killed’.*<sup>1</sup>

Here, the word *qatlā* has been used, which encompasses both Muslims and non-Muslims, and then there is the order of ‘a life for a life’ in retribution. This can include the life of both a Muslim and a non-Muslim. Elsewhere in the Qur’ān God says,

﴿وَكُتِبْنَا عَلَيْهِمْ فِيهَا أَنَّ النَّفْسَ بِالنَّفْسِ وَالْعَيْنَ بِالْعَيْنِ وَالْأَنْفَ بِالْأَنْفِ وَالْأُذُنَ

بِالْأُذُنِ وَاللَّسْنَ بِاللَّسَنِ وَالْجُرُوحَ قِصَاصٌ﴾

*‘And We prescribed for them in it [the Torah] retribution: a life for a life, an eye for an eye, a nose for a nose, an ear for an ear, a tooth for a tooth and for injuries’.*<sup>2</sup>

Likewise, if a Muslim steals from a non-Muslim, the prescribed punishment [*ḥadd*] can be enforced against him. Ibn Rushd reports that there is a consensus amongst the Muslims on this matter.<sup>3</sup> This illustrates that differences in religious doctrine do not justify killing or stealing from others.

#### 6.4 IT IS A SUNNA OF THE PROPHET ﷺ TO SAFEGUARD THE NON-MUSLIMS’ PLACES OF WORSHIP

The Prophet ﷺ allowed non-Muslims to retain their places of worship. Detailing the Prophet’s practice ﷺ, Ibn al-Qayyim mentioned that the Prophet ﷺ allowed the places of worship belonging to the non-Muslims to remain intact after the conquest of Khaybar and did not allow them to be demolished. When other areas became part of the Islamic empire, the Rightly Guided

<sup>1</sup> Qur’ān 2:178.

<sup>2</sup> Ibid., 5:45.

<sup>3</sup> Ibn Rushd, *Bidāyat al-mujtahid*, 2:299.

Caliphs and Companions followed the Prophet's orders and did not demolish them.<sup>1</sup>

## 6.5 IT IS A RELIGIOUS OBLIGATION TO SAFEGUARD THE NON-MUSLIMS' PLACES OF WORSHIP

According to the Qur'ān and prophetic hadith, it is binding upon the Islamic state to safeguard the sanctity of the religious sites and places of worship belonging to other religions, and to afford them complete protection. God says in the Qur'ān,

﴿وَلَوْلَا دَفْعُ اللَّهِ النَّاسَ بَعْضَهُمْ بِبَعْضٍ لَّهُدِّمَتْ صَوَامِعُ وَبِيَعٌ وَصَلَوَاتٌ وَمَسَاجِدُ يُذْكَرُ فِيهَا اسْمُ اللَّهِ كَثِيرًا﴾

*'And had God not repelled one group of people from another, the cloisters, synagogues, churches and mosques in which God's name is mentioned in abundance would have been ruined'.<sup>2</sup>*

In his commentary on this verse, Imam Abū Bakr al-Jaṣṣāṣ quoted the words of Imam al-Ḥasan al-Baṣrī:

يُدْفَعُ عَنْ هَذِهِ مُصَلَّيَاتِ أَهْلِ الذِّمَّةِ بِالْمُؤْمِنِينَ.

*'God uses the believers as a means of preventing the destruction of the places of worship belonging to the non-Muslim citizens'.<sup>3</sup>*

Al-Jaṣṣāṣ continued:

فِي الْآيَةِ دَلِيلٌ عَلَى أَنَّ هَذِهِ الْمَوَاضِعَ الْمَذْكُورَةَ لَا يَجُوزُ أَنْ تُهْدَمَ عَلَى مَنْ كَانَ لَهُ ذِمَّةٌ أَوْ عَهْدٌ مِنَ الْكُفَّارِ.

*'Within this verse there is a proof that it is impermissible to destroy the aforementioned places of worship belonging*

<sup>1</sup> Ibn Qayyim al-Jawziyya, *Aḥkām ahl al-dhimma*, 3:1199.

<sup>2</sup> Qur'ān 22:40.

<sup>3</sup> Abū Bakr al-Jaṣṣāṣ, *Aḥkām al-Qur'ān*, 5:83; and Ibn al-Qayyim, *Aḥkām ahl al-dhimma*, 3:1169.

to those of the non-Muslims who are citizens or under a guarantee of protection’.<sup>1</sup>

Al-Akhfash stated in his interpretation of the same verse that the places of worship belonging to the non-Muslims should not be demolished at all. So in other words, it is the responsibility of the Islamic state to provide them complete protection in all circumstances. Every community safeguards its own values and culture and it is their right to do so. So the Muslims have been ordered to protect the places of worship belonging to the non-Muslims, despite religious differences.

Ibn al-Qayyim writes in *Aḥkām ahl al-dhimma*,

يُدْفَعُ عَنْ مَوَاضِعِ مُتَعَبِّدَاتِهِمْ بِالْمُسْلِمِينَ. . . . كَمَا يُحِبُّ الدَّفْعُ عَنْ أَرْبَابِهَا وَإِنْ كَانَ يُبْعِضُهُمْ، وَهَذَا الْقَوْلُ هُوَ الرَّاجِحُ، وَهُوَ مَذْهَبُ ابْنِ عَبَّاسٍ.

‘God uses the believers to defend their places of worship. . . . Moreover, it is obligatory for him [the believer] to defend their objects of worship, even though he detests them. This is the correct position and it is the view of Ibn ‘Abbās’.<sup>2</sup>

## 6.6 THE UNLAWFULNESS OF DESTROYING THE NON-MUSLIMS’ PLACES OF WORSHIP LOCATED IN MUSLIM-MAJORITY AREAS

Islam has strictly forbidden the Muslims from destroying the places of worship that belong to non-Muslims—even if they are located in Muslim-majority areas. The Islamic state is constitutionally responsible for the protection and safeguarding of these sites. Imam Abū Bakr al-Jaṣṣāṣ quoted Muhammad b. al-Ḥasan al-Shaybānī, who said,

فِي أَرْضِ الصُّلْحِ إِذَا صَارَتْ مِصْرًا لِلْمُسْلِمِينَ، لَمْ يُهْدَمْ مَا كَانَ فِيهَا مِنْ بَيْعَةٍ أَوْ كَنِيسَةٍ أَوْ بَيْتِ نَارٍ.

<sup>1</sup> Abū Bakr al-Jaṣṣāṣ, *Aḥkām al-Qur’ān*, 5:83.

<sup>2</sup> Ibn Qayyim al-Jawziyya, *Aḥkām ahl al-dhimma*, 3:1169.



‘When a territory under treaty becomes a territory of the Muslims, no church, sanctuary or Zoroastrian temple that was there before should be demolished’.<sup>1</sup>

All of these quotes and texts establish that Islam orders the Muslims to safeguard the places of worship that belong to the non-Muslim citizens of the Islamic lands. Furthermore, Islam grants them complete freedom to practise their religion without any interference. Considering all this, how is it possible that a person who claims to be a Muslim can shamelessly murder people engaged in worship and destroy their places of worship?

---

<sup>1</sup> Abū Bakr al-Jaṣṣāṣ, *Aḥkām al-Qurʾān*, 5:83.